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*Motion pro hac vice granted 9/9/11.
**Motion pro hac vice granted 6/11/12.
***Motion pro hac vice granted 2/1/16.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION

Lair, et al., v. Jonathan Motl, et al.,	<i>Plaintiffs,</i> <i>Defendants.</i>	Case No. 6:12-cv-00012-CCL Declaration of Arthur “Art” Wittich
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I, Arthur “Art” Wittich, make the following declaration pursuant to 28

**DECLARATION OF
ARTHUR “ART” WITTICH**

U.S.C. § 1746:

1. I am over eighteen years of age and my statements set forth below are based on personal knowledge.
2. I represent House District 68 in the Montana State Legislature. I unsuccessfully ran for Senate in 2006 and successfully ran again for Senate District 35 in 2010. I served in the Senate in 2011 and 2013 and was the Senate Majority Leader in 2013.
3. During my 2010 campaign, I used several companies for my campaign literature. Some was self-printed, while other literature was printed by companies including Direct Mail, Bozeman Printing, and/or Executive Mail Service.
4. Direct Mail was a company that printed and mailed campaign literature and was recommended to me by fellow Republicans. Allison Lefer was my contact at Direct Mail and it was represented to me that she owned the company.
5. When I first began using Direct Mail's services, I filled out a candidate profile. I have no direct knowledge as to how the profile was used, but believe it was used to help with services I paid for, including the creation of my candidate website and introduction letter.

6. When using Direct Mail, I worked specifically with Allison to help draft, print, and mail campaign literature. When I first met with Allison, I was concerned about paying more than the market rate for their services. It was my understanding that the market rate was roughly 50 cents per mail piece. For each of these services provided by Direct Mail, I received an invoice and paid the amount detailed in the invoice. In total, I paid roughly \$8,000 for my campaign literature. I had no reason to believe that these invoices were incorrect and believed the costs were reasonable for the services provided.

7. In total, I paid for an introduction letter, a closing, a wife letter, four issue letters, mailing lists for those letters from Direct Mail, and assistance with my website.

8. I am not familiar with the meaning of “the works.” Until November 2015, I had never heard of the term. To my knowledge, all individuals listed in “the works” category paid Direct Mail for campaign literature, but not all received the same materials or third party mailers. And so to me, there appears to be no consistent meaning.

9. I did not authorize any National Right to Work, American Tradition Partnership, or Western Tradition Partnership spending to aid in my election, nor did I know of any such spending. I never met with National Right to Work,

American Tradition Partnership, or Western Tradition Partnership, or their agents for the purpose of being vetted.

10. I never made an arrangement, explicit or implied, with Western Tradition Partnership, American Tradition Partnership, National Right to Work, or Direct Mail that, in exchange for any efforts to get me elected, I would act in an official government capacity at their direction as a public official.

11. I have never and would never enter into such an agreement with anyone. Nor I am aware of any other legislator or candidate doing the same.

12. I have long been a supporter of the right-to-work issue, although that support is limited to public employment only. In the 2011 session, I put in a draft request on the issue of right-to-work. Because the draft ultimately prepared was a comprehensive right-to-work bill, beyond the scope of my position, and because of the encouragement of Senate leadership, I withdrew the request. Thus, I acted consistent with the positions I had before.

13. In 2014, Commissioner Motl filed a complaint against me in state court. Since that time, I have spent over \$100,000 in legal fees and costs defending myself. That complaint made no allegations of quid pro quo corruption. Instead, I first became aware of the quid pro quo allegation on November 16, 2015, when Commissioner Motl filed his Amended Expert Witness Disclosure.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 28th, 2016.



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